

**OAHU
PUBLIC INFORMATIONAL MEETINGS
DISCUSSIONS ON POSSIBLE REGULATIONS
FOR CERTAIN MARINE FISHES**

The Department of Land and Natural Resources (DLNR), Division of Aquatic Resources (DAR) held four public meetings on Oahu to discuss size limits and its use as a tool for managing marine fisheries resources. The meeting dates, times and locations and the comments provided by the attendees of those meetings are provided below:

**Thursday, January 29, 2009
6:30 to 8:30PM
Castle High School
45-386 Kaneohe Bay Drive**

Attendees: 61

PUBLIC COMMENTS

DATA, STUDIES, OTHER INFORMATION

The state should fund independent studies to gather information about the LOCAL resources. Information about similar species from other areas should NOT be used to make management decisions. There are so many differences between areas; such as the water, ocean environment, etc. that can be affecting the resource in another area that may not have anything to do with the condition of LOCAL resources.

Studies done on similar fish species from another place may not apply to local fish species. i.e. the fish in the Philippines may have environmental factors affecting them. Those environmental in Hawaii may not be affecting the fish here.

Are the reports analyzed based on the number of fishermen? That is the same number of fishermen to the same number of fishermen. There are more fishermen NOW than there were long ago.

DAR should work/meet with the market people to find out what sizes of fish are in demand. The market demand is what drives which species fishermen will target to catch.

The information that DAR receives from fishermen... how many of those fishermen are local? Native Hawaiian?

Before DLNR introduces a new fish, studies need to be done so that you (DLNR) will have an idea of what the effects of that introduction will be.

ENVIRONMENT

Jet skis are damaging the environment... the ancient “beds”... the fish nurseries. If you fix these areas the fish will go back to them and we will have more fish. If we don’t fix these areas, there will never be more fish.

Size limits may not be effective because of other factors such as damage to the environment from run off from golf courses, etc.

Still need to address the other problems i.e. run off, pollution that are affecting the ancient beds that we need to protect.

UHU

With uhu, one size fits all is not working. Need to fine tune the sizes for the various species so that fishermen can catch some of the other species that will never get to the current size limit.

LOBSTERS

Need to look at lobsters, something is eating the lobsters.

MONK SEALS

Who brought the monk seals to the main Hawaii Islands (MHI) from the northwestern Hawaiian Islands (NWHI)?

REGULATIONS

“I” support any regulation that makes sense, that has science behind the decisions used to develop the regulation.

Minimum size needs to be considered so that fish have a chance to reproduce.

CULTURAL CONSIDERATIONS

Has DAR figured out how much of the state’s population fishing in Hawaii are from Hawaii?
Not from Hawaii?

The concern is that EVERYONE will be lumped together and made to follow the regulation that is finally drafted.

No matter what the regulations are, DAR needs to consider “cultural rights of native Hawaiians.”

COMMUNICATION

DAR needs to publish/print the information that it puts out for the public in various languages so that the immigrant people who are living in Hawaii know what the regulations/rules are.
DAR needs to meet with the commercial fishermen to find out what the fishermen are catching.

DAR needs to educate the enforcement officers about the current regulations. The officers don't know what the regulations are. When they try to enforce them, they affect the commercial fishermen's catch. "I had to pull up my nets and when I did that, I lost the catch. There was no violation. Who is going to pay for that loss?"

DAR should tape record these meetings.

Conflict between the net culture (aquaculture operation using nets) and fishermen

COLLABORATIVE EFFORTS

Does DLNR work with Oceanic Institute on raising fish?

Is DLNR considering having LOCAL people revitalize the fish ponds?

Why doesn't DLNR raise fish in those net cages offshore?

Oh, it's being done already? Is the person currently doing this LOCAL?

Why doesn't DLNR have LOCAL people raise fish to re-stock the ocean?

**Thursday, February 5, 2009
6:30 to 8:30PM
Kawananakoa Middle School
49 Funchal Street**

Attendees: 30

Right after the meeting was started, one of the attendees demanded that the meeting be ended until DAR could provide the information that was used to determine the marine fish groups that were going to be discussed at the meeting. The speaker also demanded an explanation for why only "size limits" was going to be discussed.

DAR suggested that the meeting be conducted as planned and the presentation be made to the group. After the presentation, the group would be polled to determine whether the "data" presentation should be made to the group.

After the planned presentation, the group was polled. DAR staff asked the WHOLE group if they ALL agreed to hear the “data” presentation, OR if there were a few who would rather sit, and discuss their thoughts on size limits for the 3 groups of fishes proposed by DAR.

Not ALL in attendance wanted to hear the “data” presentation. The attendees broke up into 2 groups. A smaller group of about 8 people moved to the one side of the school cafeteria to discuss size limits and other resource management issues. The rest of the attendees listened to the “data” presentation.

DAR staff was available to facilitate both meetings and notes of the comments made in each group were recorded. There was one hearing impaired attendee at this meeting, he chose to be in the smaller group to discuss size limits and other resource management issues. DAR arranged for sign language interpreters to be present at this meeting to accommodate him.

SIZE LIMITS AND OTHER ISSUES *(BIG GROUP DISCUSSION)*

DATA, STUDIES, OTHER INFORMATION

Need to see the big picture so that we know (totally) what we’re facing. All influences should be evaluated; i.e. jet ski impacts

Describe the suite of management options to get good discussion

Get all commercial fishermen to report

Need from DLNR more comprehensive assessment; then fishermen can help

Don’t manage by popular vote

FISH SPECIES

Dobe - Pelagic, doesn’t get big (see 12” TL)

Some feel papio minimum size should be larger (14”)

Addressing kumu, uhu is “good” start

MISCELLANEOUS ISSUES

No regulations; no fish left

WALL SAFE

Want more information; i.e. catch information, results of surveys that were the motivation for these public discussions.

Where is the most current data?

Is this data available to the public?

How come there were different presentations at the different meetings? DAR should be making the same presentations at all of the meetings.

Why is DAR picking on these particular three groups?

The three groups are a starting point and were based on available data; i.e catch, public surveys, public concern. Kumu was one of these species.

SIZE LIMITS AND OTHER ISSUES (SMALL GROUP DISCUSSION)

DATA, STUDIES, OTHER INFORMATION

Hawaii is known for cooler waters on our reefs, if we use the L 50 information from other areas where the waters on the coral reefs are warmer, how does that kind of information affect what we consider for determining an appropriate minimum size? Maybe we should not consider information about fish from other areas to make management decisions.

Has anyone figured out what the potential market for the recreational fishery is in Hawaii? How many people out there can be licensed?

Hawaii Marine Recreational Fishing Survey (HMRFS) is a state/federal program where surveyors collect recreational fishing data from non-commercial fishermen.

UHU

Heard that the smaller uhu taste sweeter.

Heard that fishermen net uhu. How do they do that? Aren't uhu solitary fish?

Katie Howard and Hong Ling did some studies on uhu behaviour. DAR should contact them for the results of their studies.

The uhu group should be regulated by the individual species, NOT one size fits all.

There should be a pre-determined limit for uhu. Something like what they have for bottomfish.

IDENTIFICATION OF SPECIES

Can't something be done if enforcement officers have a problem with identifying the various individual species in a group?

DAR/DLNR needs to educate the growing immigrant population. These people come to Hawaii and they do what they did "back home."

SIZE LIMITS

For the currently regulated goatfish, make the minimum size closer to what the L₅₀ is. Kumu change to 12 inches. Moano change to 8 inches. Weke a'a change to 8 inches. Agree that the minimum size should be appropriate to the L₅₀ for each species. Regulate at or above the L₅₀. Get rid of the one size fits all.

The size limits for commercial fishermen should be larger than that for non-commercial fishermen.

COMMERCIAL FISHERMEN

Commercial fishing license is only \$50. Should be more.

Commercial catches make the biggest impact.

There should be a bag limit for commercial fishermen.

Commercial fishermen should have slot limits.

How does DAR know what size fish the commercial fishermen are catching? What is in "place" to make him report truthfully.

RECREATIONAL FISHERMEN

Have bag limits for the recreational fishermen.

CONSERVATIVE FISHING

Diving seems to be the most conservative way to catch fish because the diver can see the fish. Other types of fishing methods don't allow you to see the fish you are catching or that takes your line or enters your trap. What is the survival rate of fish that are caught by hook or traps and then released back into the water?

What can fishermen do to increase the survival of the fish that they return to the ocean?

Minimize the time and handling of the fish when it is out of the water.

Maybe the DAR Papio Tagging Program should ask fishermen to note the condition of the papio they catch, tag and return to the ocean.

Are there specific spawning seasons for the three families of fishes; uhu, ulua and goatfishes?

ENFORCEMENT

Anyone in the public should be able to report illegal activities/violations and get a percentage of the fine that is imposed. The amount paid to the person reporting the violation does not have to be a big amount; something like 10% of the imposed fine that is collected for the illegal activity.

What is the advantage of changing the regulations if there is NO enforcement.

The current regulations are not being enforced.

Every time I go out fishing I see multiple violations occurring, BUT I never see enforcement officers.

I'm hearing impaired, does DOCARE accept text messaging to report violations? If they do not accept text messaging at the present, can something be set up to accept text messaging in the future so I can report violations?

There needs to be more communication between DAR and DOCARE so that the regulations that are developed are enforceable.

A fishing license for ALL fishermen is a step towards better enforcement.

Make it mandatory that the enforcement officer has the authority to inspect catches.

What is the current operating budget for enforcement? Need to get that figure. What is the operating budget for the IDEAL FISHERY ENFORCEMENT; include arrest, follow-up court time etc.

Does DOCARE police commercial sales? Who checks the fish stalls in Chinatown... road side vendors...restaurants...small mom and pop stores...bar operations?

I see people selling along the road... most of the stuff is illegal.

There needs to be a separate section of DOCARE just for fishery enforcement. Enforcement needs to crack down on illegal activity, i.e. for a commercial fisherman to lose his \$50 commercial license means nothing. If the license cost more like in Alaska, and you lose your license because of a violation, it will hurt you significantly so you might think about committing a violation.

FINES

Whatever the fines are now, they should be higher

What is the fine for breaking a fishing law?

MISCELLANEOUS CONCERNS

No night spearing on SCUBA. Make it a total ban.

There is difference in the fishing between Alaska and Hawaii. People in Hawaii do more subsistence type fishing whereas the fishermen in Alaska are more strictly commercial.

Need a rule to separate commercial and non-commercial fishing.

The best way to get a response to your concerns is to write a letter to the editor...or you could try contacting your legislator.

There are too many restrictions on PWC (personal water craft, jet skis). How come? The regulations for boats are not as restrictive. Boats have propellers and can impact whales. Jet skis don't have propellers so they won't impact whales. I'm always on the lookout for DOCARE.

Should have a license requirement for traps. Each trap should have a tag with the date and time it was set along with the license number. Should have escape vents and rot-out panels and also have a limit on the number of traps that a fisherman can have.

License fees should go into a special fund for managing and improving fishing and the fisheries.

ULUA TAGGING PROJECT

Do the papio that have their mouths damaged from hooking survive when you tag them and release them? Does anyone know what their survival rate is?

"I've" been tagging for a couple of years, but have only caught one tagged papio. What happened to the others? Are they all dying?

Not many tagged papio caught.

What's happening with the data from the tagging project? It's an awesome program; the data that it generates is interesting, the outreach with the stakeholders is terrific

Is the data from the tagging project being used for a stock assessment of the ulua?

Will the data be used for management decisions?

It would be a disservice to the public who participated in the tagging project NOT to use the data for management decisions.

**Thursday, February 12, 2009
6:30 to 8:30PM
Waimalu Elementary School
98-825 Moanalua Road**

Attendees: 15

PUBLIC COMMENTS

DATA, STUDIES, OTHER INFORMATION

How frequently does the State perform in-water survey monitoring? Why isn't that information presented at this meeting?

Surveys may not be an accurate indication of the fish populations of the state. They are an indication of what the fish population is in a certain area. What about the other areas?

It's only fair that the public see all the data collected by DLNR, not only the commercial catch data.

The public is not aware of the survey data.

The early commercial catch data are not correct.

The commercial catch reporting system has only recently been improved and now the data more accurately reflects what the commercial fishermen are landing.

Recreational fishing data are lacking. Public is concerned about the lack of this data.

ENVIRONMENT

Environmental factors influence productivity; Maui has short reef and low replenishment; Oahu is different the reefs around Oahu are not the same as Maui.

There are other impacts on the fish resources, not just use and take. These meetings are only dealing with taking of the resources.

RESOURCE

Regulation discrepancy for moano. In the regulation booklet it is 7" but in the survey it is 8." Which is correct? (*7" is correct*)

Kumu should be a high priority species for regulation.

Some fish species need help, not all.

SIZE LIMITS

What initiated the effort to manage by size? Was the decision a result of what the commercial catch data reflected?

Do other states use size limits to manage their resources? Do we know if it is effective? How effective it is?

How does the commercial fisherman determine the size of the fish he catches? Isn't it going to be difficult for commercial fishermen to comply with the minimum size regulation?

What do commercial fishermen do if they catch smaller fish? (*A commercial fishermen who attended the meeting said that he throws them back.*)

Would quotas be a better and more efficient system for commercial fishermen?

Should there be different size limits for commercial and non-commercial fishermen?

The size limit regulation should apply to both commercial and recreational/non-commercial fishermen equally, it will be easier for enforcement.

Concern with the fishermen who spear fish. They need to be experienced to know whether the fish they see meets the minimum size requirement. IF the spear fisherman KNOWS what the size restriction is... and he is not sure if the fish he sees is big enough, he won't spear it. He won't spear an undersized fish.

Some of the proposed minimum sizes DON'T make sense. The fish that the regulation would apply to, never get that big.

There is a by-catch problem with size limits, SCUBA spear.

SLOT LIMITS

Do slot limits work for commercial fishermen?

Commercial fishermen utilizing a fence or bag net operation can release undersized fish; i.e. uhu.

Slot limits for recreational/non-commercial fishermen might not work; i.e. shorecasting for ulua, fishermen don't know the size of the fish that was caught until it is landed. Other factors such as whether the fish is injured during the fight might affect whether the fish can be successfully released and survive.

FISHING GEAR

Gill net regulation requires a permit; only can use one panel of net.

BAG LIMIT

Should consider other forms of management like bag limits.

Against the Maui based bag limit bill

Make a bag limit for each gear type.

Use bag limit to help species that need help.

Sometimes bag limits, result in “high-grading” behavior. Fishermen target more desirable species or only keep the larger fish.

Currently recreational/non-commercial fishermen are buy commercial license i.e. the case with the main Hawaiian Islands (MHI) bottomfish fishery. Recreational/non-commercial fishermen are buying commercial fishing licenses to get around the recreational/non-commercial bag limit.

Bag limits for commercial and non-commercial need to be different.

Recreational bag limit should be 3 fish/day.

Are there other islands besides Maui in favor of bag limits?

Need to be aware of “imposing” bag limits when it is the mechanism being used to push another group out. Any group can put their interest above others.

Maybe fishermen fishing from a boat should get a bigger bag limit because they have to spend more in order to go fishing.

Confusion among the commercial fishermen on the suggestion for a 20 pc. limit for ulua. Would it apply to commercial fishermen AND recreational/non-commercial fishermen?

5 fish for different fish for fish caught from the shoreline.

Consider developing permit/license to keep track of bag limits.

REGULATIONS

Oregon and Washington have lots of regulations now. Before they seriously regulated their fisheries there was lots of fish. Hawaii needs to act now.

There is fear that certain regulations will have bad consequences.

How/what (*kind of information*) was used for determining what kind of regulations to develop?

There was concern whether regionally (developed) regulations have anything to do with fishing or more (to do) with personal interest. Community make up is different in the different locations.

What kind of recourse does the public have when a rule/regulation is bad?

COMMERCIAL FISHERMEN/FISHING

Is there a class required before someone can be issued a commercial fishing license?

Commercial fishermen must meet United State Coast Guard (USCG) requirements, upgrade their vessel to meet Federal requirements.

RECREATIONAL FISHING

If there was a recreational license for saltwater, the fee would go into the sport fish fund. Would it be federally protected? Can it be raided?

Fishermen would support a recreational license if the revenues from the sales of licenses didn't go into the "General Fund." If the revenues just go to the "General Fund" the State would get revenues, but they would not necessarily be used for fishermen or fishery resources.

ENFORCEMENT

What is being done to improve compliance?

Can make all the regulations, but if not enforced, no sense.

RULEMAKING PROCESS

The rulemaking process is to solicit public comments on minimum size, other issues; then get back to the public.

What assurance is there that the comments being provided at the meetings will be considered?

MISCELLANEOUS ISSUES

Under this Administration (Governor/DLNR Chairperson) there is no support for a recreational license/permit.

What is DLNR doing to address other impacts to fish resources; i.e. jet skis, snorkeling tours?

What is the mission of DLNR? DAR? What is going to be done to gain the public trust?

Fishing public is frustrated.

**Thursday, February 19, 2009
6:30 to 8:30PM
Waianae Public Library
85-625 Farrington Highway**

Attendees present: 16

PUBLIC COMMENTS

DATA, STUDIES, OTHER INFORMATION

Commercial fishermen rely on “staples” (akule, opelu). If they feel they need to let the “staple” species rest, they will fish for reef species. In this sense the data DOES NOT ACCURATELY REFLECT what is happening in the fishery because the resource, (akule or opelu) is NOT less... fishermen may be targeting other species. There are other factors responsible for declines in the resource, not only the fishermen, BUT the fishermen are the ones targeted. Need to get baseline information from fishermen. Get an assessment from the fishermen to determine what an area can sustain and how much the area can sustain.

ENVIRONMENT

Shoreline manipulation that affects the fish habitat cause resource declines.

Are other factors; pollution, erosion, effects of construction affecting the fish populations in the ocean? Good example is the jetty in Waianae.

Many shoreline areas do not have freshwater any more. The fish (akule and mullet) are gone from those areas.

Sewage being released in Lake Wilson. You can smell it and you get itchy from the water in the stream below. Been like this for years. What can be done? What is being done?

You need to see what the bottom (*of the ocean*) looks like in Haleiwa now. There's nothing, it's barren. The bottom is worse than when the sugar cane mill was in operation.

Developers need to be made to take responsibility for the impacts they create; i.e. no chemicals on lawns should be included in their plans. They should also be made to provide a plan for how they intend to maintain the ocean habitat fronting their developments.

Concern is whether there was an EIS done for the Disney Resort. Is there going to be any impacts to the ocean and the shoreline adjacent to that development?

Habitat degradation is responsible for decreases in fish populations, i.e. Haleiwa the grounds are “dead”

Are other factors such as pollution, development, etc. also going to be considered? Seems like the only factor that is being targeted is the fisherman

FISH SPECIES

Uhu is a serial hermaphrodite, i.e. the largest female becomes the male. With species like this, slot limits may not be beneficial. Protecting the large females (efficient egg bearers) is more important.

Regulate halalu (scarce).

Weke is plentiful.

There is no minimum size for RED weke, suggestion made to regulate the species.

Allow take of menpachi (by net)

SIZE LIMITS

Maybe we need regulations for the unregulated species.

Maybe make the minimum size for dobe 10 inches for non-commercial and 14-15 inches for commercial. There is no 16 inch dobe ulua.

Put a minimum size on red weke.

Need to set size limits per species.

One attendee favored minimum size concept, but was concerned that the smaller fish, those that do not meet the minimum size, would have to be thrown back and their survival rate may not be very good.

NETS

If you make the net mesh size larger, 1-1/2 inches, then the fish will not be bagged but they will be gilled in the net.

Net mesh size is already regulated to the max. (limit)

The 1-1/2 inch mesh size allows netted fish to be released unharmed. At larger mesh net will gill the fish (akule)

Some current regulations for commercial fishing need to be revised. The spawning of akule changes from year to year. Maybe the mesh size needs to be changed to be larger than 1-1/2 inches so that the smaller fish can escape.

BAG LIMITS

Against bag limit for recreational fishers.

Against bag limit for commercial fishermen (for all 3 groups).

REGULATIONS

Put a regulation on night diving. Not sure what the regulation should be. A lot of uhu are taken at night by the divers.

ARTIFICIAL REEFS (FISH HOUSES)

The fish houses are being eroded. Need more. The slab system in Maili is working, acts as a feeder area, shelter for the juveniles.

Haleiwa needs fish houses. That's what will bring the fish back.

Haleiwa, not many shelters.

Put the artificial reefs in depths 90-100 ft. Do not put them in shallow water. 30 ft. is too shallow. If they are in shallow water, people will fish them too often and the reef will not be like a replenishing area.

Need for fish "houses" shelter for juvenile fish.

"I" favor artificial reefs, they hold the fish long enough for them to spawn.

ENFORCEMENT

Might be easier to "police" regulations when there is only 1 minimum size for the species. Make everything the same.

The markets need to be policed more. Many are NOT reporting what they sell.

Enforcement not policing the rules. Not catching the irresponsible fishermen.

DOCARE should be out at the harbors and checking the catches as the fishermen come back from their trips.

RULEMAKING PROCESS

Concern that the regulations are going to be developed based on opinions provided by attendees that come to these meetings.

Once a regulation is in place, one knows if or when it will be lifted

Information used to develop a regulation must be based on FACTS not opinions, “I think so,” or “I don’t want people in the water in front of my house” should not be the important information for the regulations.

Need to watch and be aware of special interest groups and politicians.

Before making regulations, be sure it is based on facts.

Professional fishermen regulate themselves. You reach a point in your fishing career where you can take what you need and leave the rest for later. Keep the fish stocks sustainable. Don’t regulate for regulation sake. Example is opelu kala. There has to be a reason for a regulation.

OUTREACH

Need to educate the fishing public. Right now there is nothing posted at the harbors. Rule books are not available. No staff in the field at fishing sites to make fishermen aware of the fishing rules.

Practical teaching vs theory. Fishermen need to pass on information about fishing on to others who are younger and enjoy fishing.

Take advantage of OLELO. Produce shows on minimum size, the need for regulations. A lot of LOCAL people watch this show.

OBSERVATIONS

This year there are only paa’a and halalu, no akule. This is unusual. Seems like the fish are cross breeding. See lots of different looking fish these days.

Fish in the markets look different than what used to be sold when I was young. This is not the same kind of fish that I grew up with. The packages are not labeled imported.

Dobe, same size fish in the schools each time they come in

Dobe ulua sporadic occurrence, sometimes see them 2 times in a season. Same fish only bigger (Suggestion made, State collaborate with fishers to get data on dobe papio)

Commercial fishermen provide fish for the markets.

Akule fishing good this year.

Some species i.e. kumu (small ones) are seen only in certain areas.

Human population affects the availability of fish.

Sometimes when you impose a regulation on one species you inadvertently force fishermen to pressure another species which may have smaller populations.

SUGGESTIONS

Develop a school project. Fish hatchery for replenishing fish. Could seek donations from fish suppliers to fund the project.

Need a rule making it illegal to have a crowbar or a pry-bar on your boat. Shell collectors use these tools to break and pry the coral head to get to the shells.

Protect coral heads. Do not allow crowbars. Would alternative way to protect the coral to ban sale of coweries? No - manage like any other fishery.

MISCELLANEOUS CONCERNS

Question, is the survey going to be available on line?

Irresponsible fishermen are not going to take the time to come to the public meetings scheduled by the State.

WALL SAFE

DLNR chairperson is not supporting the limit of boats conducting dolphin tours from private harbors. There is already a limit on the number of boats operating from State harbors.

Fishermen always go to testify in support of establishing a limit on the number of boats and the chairperson does not support the fishermen.